IN THE HIGH COURT OF JUDICATURE AT BOMAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.540 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : R.M.S. KHANDEPARKAR &
S.R. DONGAONKAR, JJ.
DATED : JUNE 20, 2006.

Heard the learned Advocate for the petitioner.

The petitioner challenges the order dated 7th January, 2003 passed by the Commissioner, Nagpur Division, Nagpur whereby the petitioner is held to be disqualified under Section 16(5)(a) of the Maharashtra Zilla Parishad and Panchayat Samiti Act, 1961 in view of the fact that the petitioner's Tribe claim has been invalidated by the Scrutiny Committee. Undisputedly, the petitioner has challenged the order of the Scrutiny Committee. However, he has not been able to obtain any stay of

the said order. In the circumstances, no fault can be found with the impugned order. There is neither any illegality nor any jurisdictional error on the part of the concerned authority in passing the impugned order and, therefore, it does not warrant interference in writ jurisdiction. The petition, therefore, is rejected.

JUDGE JUDGE

sjs